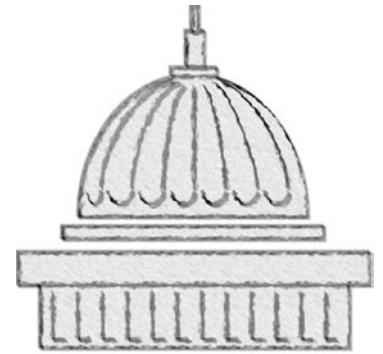


NRA / ILA Firearms Laws for

MISSOURI

(As of September, 2007)



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A SYNOPSIS OF STATE LAWS ON PURCHASE, POSSESSION AND CARRYING OF FIREARMS.

QUICK REFERENCE CHART

	<i>Rifles and Shotguns</i>	<i>Handguns</i>
Permit to Purchase	No	No
Registration of Firearms	No	No
Licensing of Owners	No	No
Permit to Carry	No	Yes

STATE CONSTITUTIONAL PROVISION

“That the right of every citizen to keep and bear arms in defense of his home, person and property, or when lawfully summoned in aid of the civil power, shall not be questioned; but this shall not justify the wearing of concealed weapons.” Article 1, Section 23.

PURCHASE

No state permit is required for the purchase of rifles, shotguns or handguns.

It is unlawful to knowingly sell, lease, loan, give away or deliver a firearm or ammunition to any person who is not lawfully entitled to possess one. It is unlawful to recklessly sell, lease, loan, give away or deliver a firearm or ammunition to a person who is intoxicated. It is unlawful to knowingly sell, lease, loan, give away or deliver any firearm to a person who is not eighteen years old without the consent of the custodial parent or guardian.

POSSESSION

There are no state licensing requirements for the possession of a rifle, shotgun or handgun.

It is a misdemeanor to possess an unloaded firearm when intoxicated; it is a felony to possess a loaded firearm while intoxicated. It is unlawful for a person convicted of or confined for a dangerous felony or an attempt to commit a dangerous felony to possess a concealable firearm for five years after such conviction or confinement. It is unlawful for a fugitive from justice, a habitually intoxicated or drugged person, or a person currently adjudged mentally incompetent to possess a concealable firearm.

CARRY

It is unlawful to carry a firearm concealed on or about one's person without a concealed carry endorsement on the Missouri driver's or non-driver's license or a valid permit to carry concealed firearms issued by any state. This prohibition does not apply to possession in

a person's dwelling, while hunting or while traveling in a continuous journey through the state. Law enforcement officers, corrections officers, probation and parole officers, some judges; process servers and marshals and members of the armed forces or the national guard while performing their official duties are exempt from this prohibition.

Persons over the age twenty-one years of age or older may transport a concealable firearm in the passenger compartment of a vehicle as long as the firearm is lawfully possessed.

Any person twenty-three years of age or older who is a citizen of the United States and who has resided in Missouri for six months or who is a member of the armed forces stationed in Missouri or who is a spouse of such member of the military can submit an application for a certificate of qualification for a concealed carry endorsement for the Missouri driver's or non-driver's license.

A concealed carry endorsement cannot be issued to any person who is or has been:

- convicted of a felony, including domestic violence;
- convicted of one or more misdemeanor offenses involving crimes of violence within a five year period, including domestic violence;
- convicted of more than one misdemeanor DUI offense within the last five years;
- a fugitive from justice or currently charged with a felony;
- dishonorably discharged from the U.S. armed forces;
- in a habitually drugged or intoxicated condition;
- adjudicated mentally incompetent at the time of application, or five years prior to the application, or has not been committed to a mental institution;
- a respondent of a full valid order of protection, which is still in effect; or
- engaged in a pattern of behavior that leads the sheriff reasonably to believe the applicant would be a danger to himself or others.

Applications for a certificate of qualification for a concealed carry endorsement must be submitted to the sheriff of the county of residence. The application shall contain the applicant's name, address, telephone number, gender, and date and place of birth. The application shall be submitted with evidence of completion of firearms training that meets statutory standards. The applicant will be fingerprinted, and a background check will be done at the state and national levels. Upon receipt of the completed background checks, the sheriff has three days to issue the certificate of qualification for a concealed carry endorsement; if the background check is not received, the sheriff has forty-five days to issue it, provided that the sheriff revoke any such certificate within twenty-four hours of any background check that results in a disqualifying record. Once approved, an applicant must sign the certificate of qualification in the presence of the sheriff or designee, and shall have seven days to take the certificate to the Department of Revenue, where the director shall issue a new driver's

license or non-driver's license with an endorsement which identifies that the applicant has a concealed carry endorsement. A sheriff shall charge a fee of no more than \$100 for the certificate of qualification and no more than \$50 for the renewal. The endorsement is valid for three years.

Concealed firearms cannot be carried in or on posted private property and the following public places:

- police stations without consent, correctional facilities, prisons, and jails;
 - courthouses;
 - polling places on election day;
 - governmental meetings and portions of public buildings that prohibit carrying firearms by ordinance or regulation;
 - bars and lounges, or restaurants that derive less than fifty percent of income from the sale of food;
 - secure areas of airports or any place where the carrying of firearms is prohibited by federal law;
 - college or universities or any facilities owned by colleges or universities; elementary or secondary schools without the permission of school officials or any child care facility without the permission of the manager;
 - riverboat gambling facilities;
 - buses or bus stations;
 - gated areas of amusement parks;
 - churches or other areas of worship without consent;
 - sports arenas or stadiums with a capacity of five thousand or more;
 - hospitals accessible by the public.
- Carrying a firearm while intoxicated is prohibited.

ANTIQUES

Antique firearms are defined as any firearm not designed or redesigned for using rimfire or conventional centerfire ignition with fixed ammunition and manufactured in or before 1898, with said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof. Antique firearms are exempt from the permit requirements for the transfer of concealable firearms.

MACHINE GUNS AND OTHER ILLEGAL WEAPONS

It is unlawful to knowingly possess, manufacture, transport, repair or sell a machine gun without the appropriate federal license. A machine gun is any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger.

It is unlawful to knowingly possess, manufacture, transport, repair or sell any rifle of less than 16 inch barrel length, shotgun of less than 18 inch barrel length, rifle or shotgun of less than 26 inch overall length, any silencer, any switchblade, or explosive bullets. The use or possession of "metal penetrating bullets" during the commission of a crime is a felony.

MISCELLANEOUS

It is unlawful to carry a firearm, whether loaded or unloaded, or any other weapon capable of lethal use into any school, onto school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board. This prohibition

does not apply to those with a concealed carry endorsement on the Missouri driver's or non-driver's license with permission of school officials or a firearm otherwise lawfully possessed by an adult for the purposes of transporting a student to or from school, or possessed by an adult for the facilitation of a school-sanctioned firearm related event. Students may participate in school-sanctioned firearms related events and courses provided the student does not carry a gun onto the premises of any school, onto school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

The local board of education of each school district shall clearly establish a written policy of discipline which shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including, but not limited to the school playground, the school parking lot, on a school bus or brought a weapon to a school activity whether on or off of the school property.

It is unlawful to knowingly deface a firearm or to knowingly possess a defaced firearm.

It is unlawful to possess or discharge a firearm or projectile weapon while intoxicated. It is unlawful to discharge a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building. It is unlawful to discharge or shoot a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle, or any building or structure used for the assembling of people. It is unlawful to discharge or shoot a firearm at a mark, at any object, or at random, on, along or across a public highway or to discharge or shoot a firearm into any outbuilding. It is unlawful to discharge or shoot a firearm at or from a motor vehicle, while within any city, town, or village, and to discharge or shoot a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person is lawfully acting in self-defense.

It is unlawful to exhibit, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner.

No unit of local government shall adopt any order, ordinance or regulation concerning the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permit, registration, taxation other than sales and compensating use taxes, or other controls on firearms, components, ammunition and supplies. Ordinances which conform exactly with state firearms laws, and ordinances which regulate the open carrying of firearms readily capable of lethal use or the discharge of firearms within a jurisdiction, are not prohibited.

No unit of local government nor the state shall bring suit or have any right to recover against any firearms or ammunition manufacturer, trade association, or dealer for damages, abatement, or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, distribution, or sale of firearms or ammunition to the public. Nothing prevents an individual citizen from bringing suit for recovery for negligent or defective design or manufacture of firearms or ammunition.

SOURCE: MO Rev. Stat. 21.750, 160.261, and 571.010 through 571.150

CAUTION: Firearm laws are subject to frequent change and court interpretation. This summary is not intended as legal advice or restatement of law. This summary does not include federal or local laws, ordinances or regulations. For any particular situation, a licensed local attorney must be consulted for an accurate interpretation. **YOU MUST ABIDE WITH ALL LAWS: STATE, FEDERAL AND LOCAL.**

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